IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SIXTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 11261 of 2004

Between:

M/s. Penna Hotels Pvt. Ltd., rep by Managing Diector E. Venkata Subbaiah O/o 2/444, Nehru Nagar
Madras Road, Sankarapuram, Kadapa Town, Kadapa District

..... PETITIONER

AND

1 The A.P. State Financial Corporation, rep by Managing Director, 5-9-194, Chirag Ali Lane,
Abids, Hyderabad-001
2 The A.P. Industrial Development Corporation Ltd., rep by Managing Director, 5-9-58/B, Parisharama
Bhavan, Fateh Maidan Road, Basheerabagh, Hyderabad

… .RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ or direction more particularly one in the nature of Writ Mandamus, declaring the action of the respondents in issuing the notification inviting sealed tender from the public by publishing a Notification in Vartha Telugu daily dt 1-6-2004 to put the petitioner properties to sale, by exercising their rights under Sec.29 of State Financial Corporation ACt 1951, as illegal, unjust unreasonable and arbitrary and detrimental to the interest of the respondents corporation, and consequentially to direct the respondents to accept the proposal of the petitioner for one time Settlement of its loan accounts for an amount of Rs. 1,26,00,000/- and to release the petitioner's assets mortgaged to the respondents

For the Petitioner: MR.K.SANKARAYYA, Advocate

For the Respondent No.1 : MR.Y.N.LOHITA, S.C. for A.P.S.F.C.

For the Respondent No.2: None appeared.

The Court, at the admission stage, made the following :

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HONOURABLE SRI JUSTICE K.C.BHANU

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W.P.No.11261 of 2004

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ORAL ORDER:

Heard the learned counsel for both the parties.

At the request of both the learned counsel, without going into the merits of the case, this writ petition can be disposed of with a direction to the petitioner to approach the respondents to make a representation with regard to making its offer under O.T.S.(On Time Settlement) basis within one week from the date of receipt of a copy of this order and the same shall have to be considered by the respondents as per the rules of O.T.S. scheme within three weeks thereafter.

With the above direction, the writ petition is disposed of at the admission stage. In the circumstances of the case, there shall be no order as to costs.

(K.C.BHANU,J.)

16th July, 2004

bcj/mvb

To

1 The Managing Director, The A.P. State Financial Corporation, 5-9-194, Chirag Ali Lane, Abids, Hyderabad-001
2 The Managing Director, The A.P. Industrial Development Corporation Ltd., 5-9-58/B, Parisharama Bhavan, Fateh Maidan Road, Basheerabagh, Hyderabad

3 Two C.D. copies.

Note: Furnish copy by Tuesday

B/o

Bcj/mvb